PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031 Please type a plus sign (+) inside this box -> [+] U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Und the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/932.503 ATENT & TRANSMITTAL Filing Date August 17, 2001 **FORM First Named Inventor** Morcol <u>IAN 0 2</u> 2003 (to be used for all correspondence after initial filing) 1645 Group Art Unit TECH CENTER 1600/2900 **Examiner Name** Total Number of Pages in This Submission Attorney Docket Number 37070/207071 ENCLOSURES (check all that apply) Assignment Papers After Allowance Communication to Fee Transmittal Form (for an Application) Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Response (Appeal Notice, Brief, Reply Brief) Petition Proprietary Information After Final Petition to Convert to a Status Letter Affidavits/declaration(s) Provisional Application Power of Attorney, Revocation Other Enclosure(s) Extension of Time Request Change of Correspondence Address (please identify below): -Form PTO 08A and 08B (2 Terminal Disclaimer sheets) Express Abandonment Request Request for Refund -7 Publications -Return Receipt Postcard Information Disclosure Statement CD, Number of CD(s) Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Kristin D. Mallatt, Reg. N. 46,895 Individual name mallas

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: Angela M. Rossi Typed or printed name Signature  $\lambda$ 3

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Signature

Date

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicat	ion of:	)	
	Tulin Morcol, et al.	) ) ) )	Group Art Unit: 1645
Serial No.:	09/932.503	) )	Examiner:
Filed:	August 17, 2001	) )	
For:	COMPOSITIONS AND METHODS FOR THERAPEUTIC AGENTS COMPLEXED WITH CALCIUM PHOSPHATE AND ENCASED IN CASEIN	) ) ) ) )	

Attorney Docket No. 37070/207071

Commissioner for Patents Washington, D.C. 20231

Date: 12/23/02

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants identify the documents listed on the enclosed Form PTO 08A and Form 08B accompanying this submission. Copies of the cited documents are enclosed for the Examiner's review and consideration.

#### Remarks

The undersigned certifies that each item cited in this paper was cited in the International Search Report in related International Application No. PCT/US02/03506 mailed on November 11, 2002, not more than three months from the date of this submission. Applicants believe that no fee is due in connection with this filing. However, the Commissioner is authorized to debit Deposit Account No. 11-0855 for any such fee due should Applicants be mistaken.

Applicants cite U.S. Patent No. 6,024,987 which is the English-language family member of non-English document No. EP 0 715 846 A and also cite U.S. Patent No. 4,929,774 which is

U.S. Serial No. 09/932,503 Filed: August 17, 2001

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

the English-language family member of non-English document No. EP 0 326 026, both cited as "A" references in the International Search Report.

Applicants do not concede that the identified materials constitute prior art within the meaning of the United States patent laws.

Respectfully submitted,

Kustin Maleat

Kristin D. Mallatt Reg. No. 46,895

KILPATRICK STOCKTON LLP Suite 2800, 1100 Peachtree Street Atlanta, Georgia 30309-4530 (404) 815.6147

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

stitute for form 1449A/PTO

### **INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

Complete if Known Application Number 09/932,503 Filing Date August 17, 2001 First Named Inventor Tulin MORCOL Group Art Unit 1645 Examiner Name

(use as many sheets as necessary)

37070/207071 2 Attorney Docket Number Sheet

	U.S. PATENT DOCUMENTS					
Examiner C	Cite	Cite No. Number - Kind Code² (if known)	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	
	No.		MM-DD-YYYY	Cited Document	Passages or Relevant Figures Appear	
		3,382,150	05/07/1968	Grass, et al.		
		4,929,774	05/29/1990	Fukamachi, et al.		
		6,024,987	02/15/2000	Jettka, et al.		
	<del> </del>					
<del></del>						

	FOREIGN PATENT DOCUMENTS					
Examiner   Cite   No.1	Cito	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines, Where Relevant	
	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>6</sup>	
		EP 0 715 846 A	06/12/1996	Europe		
		EP 0 326 026 A	08/02/1989	Europe		
			<del>, , , , , , , , , , , , , , , , , , , </del>			
						<u> </u>

Examiner Signature	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PTO/SB/08B(10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

TRANSititute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Application Number 09/932,503

Filing Date August 17, 2001

First Named Inventor Tulin MORCOL

Group Art Unit 1645

Examiner Name

 (use as many sheets as necessary)
 Examiner Name

 Sheet
 2
 of
 2
 Attorney Docket Number
 37070/207071

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2	
		International Search Report issued in related Application No. PCT/US02/03506		
		Patent Abstracts of Japan & JP 09 208491 A (Ashai Optical) 12 August 1997		
		·		
		1		

Examiner		Date	•
Signature	,	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.